

JONATHAN L. MOORE,

Plaintiff,

v.

ELICIA PETTY, et al.

Defendants.

JOHN J. McCONNELL, JR., United States District Judge.

If it is true that a “picture is worth a thousand words” then a video must be worth millions. In this case, the videos of the incident in question (ECF No. 63) leave no doubt at all that Mr. Moore has failed to show that any of these Defendants acted with indifference toward his health or safety. *Famer v. Brennan*, 511 U.S. 825, 833 (1994). The videos do not support

¹ The six prior actions and their status are 09-434-M (dismissed); 09-452-M (dismissed); 09-543-S (dismissed); 10-049-ML (dismissed and appeal denied); 11-483-M (dismissed and appeal denied); 11-599-ML (dismissed).

Mr. Moore's allegation in his complaint that the Defendants failed to intervene and protect him. In fact, the videos show that the Defendants acted deliberately and quickly in responding to the unprovoked assault on Mr. Moore by the fellow inmate.

After full discovery in this case, Mr. Moore has produced nothing that proves the central facts alleged in his complaint. Therefore, there are no genuine issues of material fact to be decided, Mr. Moore has failed to present facts in support of his assertion that his Eighth Amendment rights were violated, and the Defendants are entitled to judgment as a matter of law.

Defendants' Motion for Summary Judgment (ECF No. 63) is GRANTED. Judgment shall enter for the Defendants, no costs.

IT IS SO ORDERED.

A handwritten signature in blue ink, reading "John J. McConnell, Jr.", written over a horizontal line.

John J. McConnell, Jr.
United States District Judge

April 15, 2015